

THE HONORABLE JUDGE ROBERT J. BRYAN

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON AT TACOMA

MARYBRIGIT SCOTT, et al
Plaintiffs,

vs.

CITY OF BAINBRIDGE ISLAND, et al
Defendants

CAUSE NO. C97-5329RJB

DECLARATION OF
MARYBRIGIT SCOTT

I hereby declare the following to be true and correct under penalty of perjury pursuant to the laws of the State of Washington.

1. I, Marybrigit Scott, am the plaintiff in the above-entitled action and guardian for Annieka McCullough.
2. The attached is a letter of engagement along with copies of some of the original documents.
3. During the course of litigation, I paid for the costs, including filing fees, costs of some of the depositions, service of process, etc. These costs amounted to \$1,736.25 for transcripts, \$360.00 for depositions, \$120.00 for filing, approximately \$180.00 for process of service, and, approximately miscellaneous charges of \$555.22 (for



CV 97-05329 #00000173

LONGACRE AND ADAMS LAW OFFICE
569 Division St., Suite F
Port Orchard, Washington 98366
(360) 876-7290, fax (360) 876-0204

ORIGINAL

173

1 copy costs, postage, and fax costs). My attorney, Clayton Longacre, fronted another
2 \$2,248.96 for transcripts of depositions

3 4. The depositions were needed in order to serve and/or respond to defendant's
4 Summary Judgment motions.

5 5. This case arose because the police believed ludicrous accusations of drugs being
6 stored or sold from my house. My family, especially my daughter, Annieka, and I
7 were terrorized by the police.

8 6. When the Court granted partial summary judgment to the defendants it undercut the
9 majority of our claims and grievances. When the appellate court refused to reinstate
10 those claims I felt it best that my daughter and I give up expecting to find justice in
11 court. As a mother, I felt it best to simply get what we could to pay off the debts of
12 litigation, provide Mr. Longacre with some compensation for his untold hours in
13 this case, and move on with our lives.

14 7. I have never used drugs in my life and I never will. My daughter, now age 13, has
15 committed herself to the same. We both will never forgive the actions of the
16 officers. They made it clear in their depositions that they had no remorse. Indeed,
17 they remained arrogantly convinced they had only arrived at the wrong time. The
18 law enforcement officials never sought any charges against the person who
19 obviously gave false information.

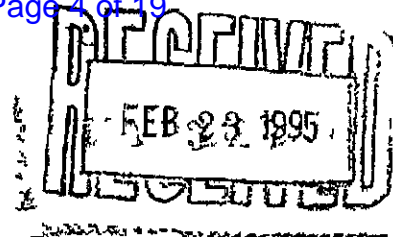
20 8. We have also come to accept that in America, terror by government officials sworn
21 to uphold the Constitution will always be protected by the courts.

1 9. Please sign this order and end this case so we may put this memory behind us. I
2 intend to pay what I owe and use the remainder to buy a house for Annie (my
3 daughter) and I.

4 I DECLARE UNDER THE PENALTY OF PERJURY UNDER THE LAWS OF THE
5 STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT TO THE
6 BASE OF MY KNOWLEDGE.
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9 Signed at Port Orchard, Washington this 1st day of August, 2002

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11 
12 Marybrigit Scott
13 Declarant / Plaintiff
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CLAYTON ERNEST LONGACRE

Attorney at Law
1683 S.W. Bay Street
Port Orchard, Washington 98366
(360) 876-7290 Phone
(360) 876-0204 Fax

February 10, 1995

Marybrigit Scott/*Guardian Annika McCullough* *cel ms*
1315 Cambrian Street
Bremerton, WA 98312

Re: Police Raid of House
1/9/95

Dear Marybrigit:

cel ms Thank you for expressing interest in retaining me to represent you *and your daughter* in connection with the above referenced matter. The purpose of this letter is to inform you of the terms of my engagement and confirm that you wish to retain me.

It has been my experience that a new client may have questions about the general procedures employed by the law firm he or she engages. It is my policy to ensure, so far as possible, that at the onset of an engagement my new clients understand and are comfortable with the standard practices of my firm. *ms*

I will be representing you *and your daughter* in your civil claims against the police agencies involved (and/or their officers) and Ron Johnson in this matter. I understand that you suffered significant emotional distress stemming from this incident and that your daughter Annie is being evaluated as well. We will soon forward you a letter to engage my office on her behalf if you wish to do so. *cel*

I will be the attorney for this matter, and Claire Cheng will be responsible for performing paralegal services on your behalf on a day-to-day basis. Where appropriate, I may use other lawyers, paralegals or various other professionals to achieve economies, take advantage of specialized skills or experience or for other reasons that appear appropriate. I will report significant developments to you at the above address.

This representation will be on a contingency fee basis. The contingency fees will be 40% if settlement is reached before trial, 45% with a trial, and 50% if an appeal is undertaken. You will be responsible for all filing and witness fees and other non-attorney fee costs.

Some of these fees may need to be paid before the resolution of your claim or to allow us to proceed on your claim. Where fees must be paid in advance to proceed with your claim, we will contact you. Unpaid fees and costs will be subtracted from the total settlement or award amount before dividing the remainder according to the above arrangements.

In the event that a settlement is accepted where the percentage named above is less than the attorney fees to date, my attorney fees will be taken from the settlement amount. For example, should you accept a settlement of \$2,000 when my attorney fees were \$1,000, I would be paid the full \$1,000 and you would keep the remainder once unpaid fees and costs were covered.

I will be remitting invoices for services rendered and costs on a monthly basis. Attorney fees will be billed at the rate of \$100 an hour and paralegal fees at \$50 an hour. The purpose of this is to provide an exact accounting in case we are able to recover attorney fees in a civil suit.

I am very pleased to have the opportunity to act as your counsel in this matter. If you wish to engage me on the terms set out above, please sign and return this letter. Be sure to keep a copy for your records. Upon receipt of the signed letter, Claire Cheng will begin to contact the police agencies to obtain copies of reports on the incident.

If you have any questions, please do not hesitate to call me or any member of my staff.


Very truly yours,


Clayton Ernest Longacre

Contingent Fee Agreement

I wish to engage Clayton Ernest Longacre as my attorney in the claim described above and on the terms contained herein.

2/10/95
Dated


Marybrigit Scott
For herself and her daughter Annika
1315 N. Cambrian
Bremerton, WA
98312

**Sandra
Baker &
Associates**Court Reporters
and Legal
Video Service

870 10th Lane, Fox Island Washington 98333

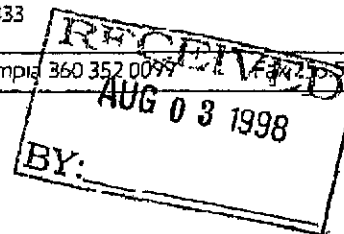
Tacoma 253 272 9288

Seattle 206 622 9919

Bremerton 360 373 9032

Olympia 360 352 0099

Port Angeles 360 342 5419



Bill To: Clayton E Longacre
 Attorney at Law
 2501 Mile Hill Drive Suite A-102
 Port Orchard, Washington 98366

Date: August 1, 1998
Invoice No.: DG132

DESCRIPTION**AMOUNT****SCOTT v BAINBRIDGE, ET AL.**

Deposition of WILLIAM HUNT - July 31, 1998

Deposition of SHANE BROOKS - July 31, 1998

Deposition of NICHOLAS PATTERSON - July 31, 1998

Deposition of STEVE WHYBARK - July 31, 1998

Appearance fee

\$220 00

PAID IN FULL Check No. 1579

Thank you, Dorothy A. Geyer, CCR #537-72-1185

TOTAL:**\$220.00**

**Sandra
Baker &
Associates** Court Reporters
and Legal
Video Service

870 10th Lane, Fox Island Washington 98333

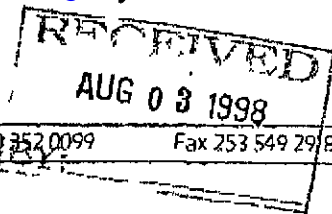
Tacoma 253.272.9288

Seattle 206.622.9919

Bremerton 360.373.9032

Olympia 360.352.0099

Fax 253.549.2918



Bill To: Clayton E Longacre
Attorney at Law
2501 Mile Hill Drive Suite A-102
Port Orchard, Washington 98366

Date: August 1, 1998
Invoice No: DG131

DESCRIPTION**AMOUNT**

SCOTT v BAINBRIDGE, ET AL.

Deposition of RON RUPKE - July 30, 1998

Deposition of KEVIN JEPSON - July 30, 1998

Appearance fee

\$140.00

PAID IN FULL Check No. 1982

Thank you, Dorothy A. Geyer, CCR #537-72-1185

TOTAL:**\$140.00**

**Sandra
Baker &
Associates** Court Reporters
and Legal
Video Service

870 10th Lane, Fox Island, Washington 98333

Tacoma 253 272 9288

Seattle 206 622 9919

Bremerton 360 373 9032

Olympia 360 352 0099

Fax 253.549 2918

Bill To: Clayton E. Longacre
Attorney at Law
2501 Mile Hill Drive Suite A-102
Port Orchard, Washington 98366

Date: September 2, 1998
Invoice No.: DG143

DESCRIPTION**AMOUNT****SCOTT v BAINBRIDGE ISLAND, ET AL.**

Deposition of KEVIN A. JEPSON - July 30, 1998
Deposition of RONALD P. RUPKE - July 30, 1998
Deposition of WILLIAM A. HUNT - July 31, 1998
Deposition of SHANE J. BROOKS - July 31, 1998
Deposition of NICHOLAS D. PATTERSON - July 31, 1998
Deposition of STEVE C. WHYBARK - July 31, 1998

One Copy (K. Jepson)	\$172.90
Mini-Transcript - COMPLIMENTARY	
Original and One Copy (R. Rupke)	132.00
Exhibit copying	.25
Mini-Transcript - COMPLIMENTARY	
Original and One Copy (W. Hunt)	168 30
Mini-Transcript - COMPLIMENTARY	
Original and One Copy (S. Brooks)	409.20
Exhibit copying	5 25
Mini-Transcript - COMPLIMENTARY	
Original and One Copy (N. Patterson)	112.20
Exhibit copying	.75
Mini-Transcript - COMPLIMENTARY	
Original and One Copy (S. Whybark)	19.50
Mini-Transcript - COMPLIMENTARY	

*Paid in full
on 9/2/98
✓ # 2035 - \$550.35
and \$500 down payment*

Thank you, Dorothy A. Geyer, CCR #537-72-1185

TOTAL: \$1,050.35

**Sandra
Baker &
Associates**

Court Reporters
and Legal
Video Service

870 10th Lane Fox Island, Washington 98333

Tacoma 253 272 9288

Seattle 206 622 9919

Bremerton 360 373 9032

Olympia 360 352 0099

Fax 253 549 2918

BILL TO: MR. CLAYTON ERNEST LONGACRE
Attorney at Law
2501 Mile Hill Drive, Suite A102
Port Orchard, Washington 98366

BILL FOR PROFESSIONAL SERVICES

BILLING INVOICE: KB1085
DATE OF INVOICE: 9/2/98
DATE OF SERVICE: 6/15 and 6/25 1998
IN RE: Scott vs. City of Bainbridge

TRANSCRIPT: Of the deposition of Marybrigit Scott
and Annieka McCullough, 361 pages \$685.90

CONDENSED/KEYWORD INDEX: (1) one each Complimentary

TOTAL DUE: \$685.90

Thank you... Kaedra Brooks, OCR

PLEASE INCLUDE INVOICE COPY WITH PAYMENT
Terms: 30
Tax Id #532 32 5805

pdg/4/98

WEST SOUND LEGAL MESSENGERS

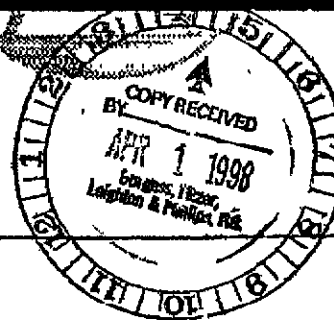
4171 WHEATON WAY * SUITE 4 * BREMERTON, WA 98310 * (206) 246-8004 * (360) 405-4877 PAGER

FIRM: _____ SEC: _____ DATE: 3/31/98
 COURT: US District COUNTY: Tulahoma
 CAUSE: C97-53 CASE: State v. K. K. K.
 DOCUMENTS: _____

MESSENGER

LAST DAY: 4/2/98

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		AUDITOR:	Bankrupt:	I:
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LAST DAY:

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STATUTE OF LIMITATIONS?

OTHER INSTRUCTIONS/INFO:

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4171 WHEATON WAY * SUITE 4 * BREMERTON, WA 98310 * (206)246-8004 * (360)405-4877 PAGER

FIRM: Longhorn SEC: Chen DATE: 3/30/98
 COURT: US District COUNTY: Franklin
 CAUSE: C97-5 CASE: Scott v. Longhorn
 DOCUMENTS: _____

MESSENGERLAST DAY: 4/1/98

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OTHER INSTRUCTIONS:

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4171 WHEATON WAY * SUITE 117 * BREMERTON, WA 98310 * (206)246-8004 * (360)405-4877 PAGER

FIRM: Longacore SEC: Chase DATE: 3/27/98
 COURT: 1st District COUNTY: Tillamook
 CAUSE: C97-532 CASE: Scot v. Bankbridge
 DOCUMENTS: _____

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LAST DAY: 4/1/98

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		AUDITOR:	Bankrupt:	I: _____
		TREAS.:	Civil:	II: _____

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STATUTE OF LIMITATIONS?

OTHER INSTRUCTIONS: _____

WEST SOUND LEGAL MESSENGERS

4171 WHEATON WAY * SUITE 1 * BELLINGHAM, WA 98310 * (206) 246-8004 * (360) 405-4877 PAGER

FIRM: Voyson SEC: Chen DATE: 2/27/98
 COURT: USDC COUNTY: Thurston
 CAUSE: C9... CASE: Scott v. Babbidge Ltd
 DOCUMENTS: _____

MESSENGER

LAST DAY: 2/27/98

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OTHER INSTRUCTIONS/INFO:

WEST SOUND LEGAL MESSENGERS

4171 WHEATON WAY * SUITE 4 * BELLVERTON, WA 98310 * (206)246-8004 * (360)405-4877 PAGER

FIRM: Cargene SEC: Chase DATE: 3/12/98
 COURT: WS Dist COUNTY: Tulsa
 CAUSE: 097-5329 CASE: Scoti. Birmingham Ill
 DOCUMENTS: ten

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		AUDITOR:	Bankrupt:	I:
		TRFAS:	Civil:	II:

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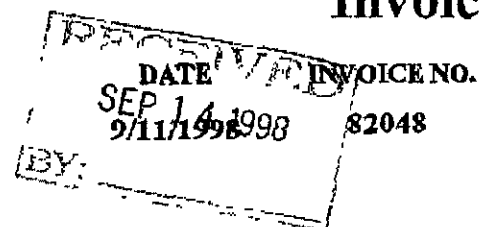
ADDRESS:

STATUTE OF LIMITATIONS?

OTHER INSTRUCTIONS/INFO.

FalCorp, Ltd.
The Ray R. Greenwood Building
600 Kitsap Street, Suite 104
Port Orchard, WA 98366

Invoice



split between

Clayton Ernest Longacre
Attorney at Law
2501 Mile Hill Drive, Ste A-102
Port Orchard, WA 98366

REFERENCE MATTER

Marybrigit Scott v Bainbridge Island

Paula Horvath v King Co Police Dept

Longacre

TERMS	DUE DATE	REP	CLIENT BILLING #
Net 30	10/11/1998	RCZ	Not Provided

DESCRIPTION

Special messenger service to/from Tacoma
(commenced before 2:00 pm - \$30.00)
(commenced after 2:00 pm - \$40.00)
**9/10/98 - Filed documents at US District Court in Tacoma

File Documents
**Filed original and copy with Pierce County Judge Felnagle

QTY	RATE	AMOUNT
1	30.00	30.00
1	10.00	10.00

THANK YOU!! FALCORP, LTD., ESTABLISHED IN 1984, IS WEST PUGET SOUND'S
OLDEST, LOCAL, COMPLETE ATTORNEY SERVICE

INVOICES PAST DUE ARE ASSESSED A LATE CHARGE OF 1.5%, MINIMUM 2.00 PER
INVOICE. PAYMENTS ARE FIRST APPLIED TO LATE CHARGES.

TAX ID #91-1647334 FOR ACCOUNT STATUS, PLEASE CALL 360.876.4122

\$2000

TOTAL **PAID** \$40.00

MAIL BOXES ETC. PORT ORCHARD

08-26-97 11:57
CLERK 5 0001 201

503X 20.04
COPIES T \$20.12
TAX AMOUNT 1 \$20.12
TAX 1 \$1.63
CREDIT CARD

\$21.75

MB Scott

Wynne

THE GREAT AMERICAN MAIL SERVICE
PORT ORCHARD, WA 98366

MINOR

.00

**** U.S. POSTAL SERVICE ****
PT ORCHARD M.O. 98366
546762 33.00
LEO # 01
10-29-97 13:03:08

CUSTOMER RECEIPT

109 POST VAL IMP	3.69
109 POST VAL IMP	3.69
109 POST VAL IMP	5.45
109 POST VAL IMP	5.45
109 POST VAL IMP	5.45
109 POST VAL IMP	5.45

TOTAL 29.18
CHECK #012 29.18

CHANGE .00

Scott Sree via Mail

*** THANK YOU ***

CR 1427

MAIL BOXES ETC. PORT ORCHARD

10-24-97 14:48

CLERK 5 0001 533

134X 30.05
COPIES T \$9.20
50X 30.05
COPIES T \$2.50

REFUND.....

50X 30.05
COPIES T -2.50
TAX AMOUNT 1 \$9.20
TAX 1 \$0.75
CREDIT CARD \$9.95

Scott

For Fed.
Scott - Wynne

**** U.S. POSTAL SERVICE ****
PT ORCHARD M.O. 98366
546762 33.00
VERN # 14
08-27-97 15:51:08

CUSTOMER RECEIPT

109 POST VAL IMP 9.00
(\$3.00 x 3)

TOTAL 9.00
CHECK #025 9.00

CHANGE .00

*** THANK YOU ***

CLIENT COST FORM

To: Bridgette Higgins, our Cost Queen

From: Claire E. Fox

Date: 5/11/97

Paid

Please bill Marybridgett Scott in the amount of \$6.55 for the following "non-attorney costs or fees":

\$6.55 copying cost for Summons

Receipts attached? ☒ Yes ☐ No

Give to PJ to reimburse me? ☒ Yes ☐ No

Recorded

FROM: CLAIR E. FOX
TO: MARYBRIDGETT SCOTT
DATE: 5/11/97
AMOUNT: \$6.55
REMARKS: MB Scott
Summons



Case 3:97-cv-06829-RJB Document 178 Filed 08/01/02 Page 18 of 19

POST OFFICE TO ADDRESSEE

EH9008985570S

ORIGIN (POSTAL USE ONLY)

PO ZIP Code	Day of Delivery <input type="checkbox"/> Next <input type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>
Date In Mo Day Year	<input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$ 10.75
Time In <input type="checkbox"/> AM <input type="checkbox"/> PM	Military <input type="checkbox"/> Regular Day <input type="checkbox"/> Late Day	Return Receipt C.O.D.
Weight lbs ozs	Int'l Alpha Country Code	Total Postage & Fees \$ 10.75
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials	

SEE REVERSE SIDE FOR
SERVICE GUARANTEE AND
INSURANCE COVERAGE LIMITS

Mary B. Scott

CUSTOMER USE ONLY

METHOD OF PAYMENT Express Mail Corporate Acct. No.	<input type="checkbox"/> I AM NOT SURE OF MYSELF. I HAVE NO WAY OF KNOWING IF THE ADDRESSEE HAS BEEN DELIVERED. I HAVE NO WAY OF KNOWING IF THE ADDRESSEE HAS BEEN DELIVERED. I HAVE NO WAY OF KNOWING IF THE ADDRESSEE HAS BEEN DELIVERED.
Federal Agency Acct. No. or Postal Service Acct. No.	NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday

FROM: (PLEASE PRINT)

PHONE

TO: (PLEASE PRINT)

PHONE

FOR PICKUP OR TRACKING CALL 1-800-222-1811



Label 11-B October 1995



POST OFFICE TO ADDRESSEE

EH9008985650S

ORIGIN (POSTAL USE ONLY)

PO ZIP Code	Day of Delivery <input type="checkbox"/> Next <input type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>
Date In Mo Day Year	<input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$ 10.75
Time In <input type="checkbox"/> AM <input type="checkbox"/> PM	Military <input type="checkbox"/> Regular Day <input type="checkbox"/> Late Day	Return Receipt C.O.D.
Weight lbs ozs	Int'l Alpha Country Code	Total Postage & Fees \$ 10.75
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials	

SEE REVERSE SIDE FOR
SERVICE GUARANTEE AND
INSURANCE COVERAGE LIMITS

CUSTOMER USE ONLY

METHOD OF PAYMENT Express Mail Corporate Acct. No.	<input type="checkbox"/> I AM NOT SURE OF MYSELF. I HAVE NO WAY OF KNOWING IF THE ADDRESSEE HAS BEEN DELIVERED. I HAVE NO WAY OF KNOWING IF THE ADDRESSEE HAS BEEN DELIVERED. I HAVE NO WAY OF KNOWING IF THE ADDRESSEE HAS BEEN DELIVERED.
Federal Agency Acct. No. or Postal Service Acct. No.	NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday

FROM: (PLEASE PRINT)

PHONE

TO: (PLEASE PRINT)

PHONE

Customer Copy

Customer Copy

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100



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TRACKING NUMBER

9133 219 252 5

SHIPMENT FROM

SHIPPER'S UPS SHIPPER NO / UPS BILLING NO

FOR UPS USE

REFERENCE NUMBER

NAME

TELEPHONE

COMPANY

TELEPHONE

STREET ADDRESS

CITY AND STATE

ZIP CODE

2 EXTREMELY URGENT DELIVERY TO

NAME

TELEPHONE

COMPANY

TELEPHONE

STREET ADDRESS

TELEPHONE

CITY AND STATE (INCLUDE COUNTRY (INTERNATIONAL))

ZIP CODE



WEIGHT
AND
ZONE

005

DIVISIONAL
WEIGHT

ZONE

SHIPPER'S
COPY

TYPE OF
SERVICE

NEXT DAY

WORLDWIDE
EXPRESS
(INTERNATIONAL)

DOCUMENTS

OPTIONAL
SERVICES

DECLARED VALUE

AMOUNT

AMOUNT

ADDITIONAL
HANDLING
CHARGES

AMOUNT

AMOUNT

AMOUNT

TOTAL
CHARGES

AMOUNT

AMOUNT

AMOUNT

SHIPMENT
OR
PAYMENT

SHIPMENT

SHIPMENT

SHIPMENT

8 RECEIVERS / THIRD PARTY'S UPS ACCOUNT NO OR AUTHORIZED CREDIT CARD NO

SHIPMENT

SHIPMENT

SHIPMENT

THIRD PARTY'S COMPANY NAME

SHIPMENT

SHIPMENT

SHIPMENT

STREET ADDRESS

SHIPMENT

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SHIPMENT

CITY AND STATE

SHIPMENT

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